

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA, *ex rel.*
11 ROBERT TAYLOR,

12 v.
13 Plaintiff,

14 GCI LIBERTY, INC., *et al.*,

15 Defendants.

CASE NO. C19-2029-JCC

ORDER

16 This matter comes before the Court on the Government's second *ex parte* application for
17 an extension of time to consider whether to elect to intervene (Dkt. No. 6). Having thoroughly
18 considered the Government's application and the relevant record, the Court GRANTS the
19 application.

20 On December 12, 2019, Relator Robert Taylor filed a complaint under seal against GCI
21 Liberty, Inc. and Eastern Aleutian Tribes, Inc. pursuant to the *qui tam* provisions of the False
22 Claims Act ("FCA"), 31 U.S.C. §§ 3729–33. (*See* Dkt. No. 1.) Relator served the Government
23 with the complaint and supporting evidence on December 18, 2019. (*See* Dkt. No. 6 at 2.)
24 Relator filed an amended complaint on January 23, 2020, (Dkt. No. 2), and served the
25 Government on January 24, 2020, (*see* Dkt. No. 6 at 2). The FCA allows the Government at least
26 60 days after it is served to determine whether to intervene. *See* 31 U.S.C. § 3730(a), (b)(2).

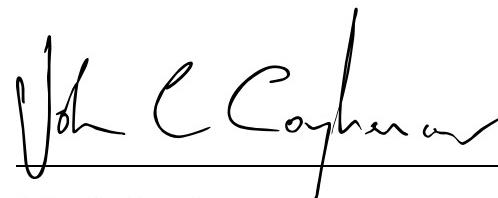
1 Accordingly, the initial 60-day period in this matter was scheduled to expire on March 24, 2020.
2 On March 24, 2020, the Government applied for a six-month extension of its deadline to decide
3 whether to intervene and requested that the Court maintain the complaint under seal until
4 September 24, 2020. (*See* Dkt. No. 4.) The Court granted the application. (*See* Dkt. No. 5.)
5 During that six-month period, the Government has continued collecting and reviewing relevant
6 documents and is in the process of interviewing ten witnesses, but the COVID-19 pandemic has
7 impeded the Government's ability to find and interview other witnesses. (*See* Dkt. No. 6 at 4–5.)

8 The Government now applies for a second six-month extension to collect additional
9 documents and to identify and interview additional witnesses. (*See generally* Dkt. No. 6.) The
10 Government also represents that Relator does not object to this request. (*Id.* at 5.)

11 Under the FCA, the Court may grant an extension "for good cause shown." 31 U.S.C.
12 § 3730(b)(3). Having reviewed the Government's *ex parte* application and the relevant record,
13 the Court finds good cause to grant an extension. The Court therefore GRANTS the
14 Government's *ex parte* application (Dkt. No. 6) and ORDERS the Government to notify the
15 Court whether the Government will intervene by March 24, 2021. The Clerk is DIRECTED to
16 maintain the complaint, the amended complaint, this order, and other filings in this matter under
17 seal until further order of the Court.

18 DATED this 28th day of September 2020.

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John C. Coughenour
UNITED STATES DISTRICT JUDGE